

Senate File 448 - Introduced

SENATE FILE 448

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1057)

A BILL FOR

- 1 An Act relating to a weigh station preclearance program and
- 2 associated systems and devices for use by commercial motor
- 3 vehicles.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **321.465A Weigh station preclearance**
2 **program — authorized devices.**

3 1. The department may administer a weigh station
4 preclearance program in accordance with the commercial vehicle
5 information systems and networks electronic screening truck
6 inspection and weigh station preclearance standards authorized
7 by the federal motor carrier safety administration of the
8 United States department of transportation. If the department
9 administers a preclearance program, the department shall
10 determine which weigh stations shall participate in the
11 preclearance program and all preclearance system providers'
12 devices and platforms shall be treated uniformly.

13 2. The department shall set the criteria for the
14 preclearance program and such criteria shall be applied
15 equally to all preclearance systems, devices, and platforms.
16 Such criteria may include but is not limited to information
17 regarding safety history, weight, and credential status.

18 3. For purposes of the preclearance program, a commercial
19 mobile radio services network device or a dedicated short-range
20 communications device may be used as a transponder, provided
21 all of the following conditions are met:

22 a. All software and hardware from the provider of the system
23 within which the device operates that is necessary for the
24 department's use of the provider's system is made available to
25 the department at no cost to the department, and the provider
26 is responsible, either individually or collectively with other
27 system providers, as applicable, for all costs of operating and
28 maintaining the software and hardware.

29 b. The device software and hardware, as applicable,
30 meets the requirements of the federal motor carrier safety
31 administration for core compliance with the commercial vehicle
32 information systems and networks electronic screening truck
33 inspection and weigh station preclearance standards.

34 c. All in-vehicle equipment is operated in compliance with
35 sections 321.276 and 321.449B, and applicable federal law and

1 regulations relating to distracted driving.

2 *d.* The system within which the device operates is capable of
3 interfacing with applicable weigh-in-motion systems.

4 4. The department may adopt rules pursuant to chapter
5 17A to administer this section. The rules adopted by the
6 department may include authorizations for particular devices
7 that meet the criteria set forth pursuant to subsection 2 and
8 the requirements of subsection 3 for use in the preclearance
9 program.

10	EXPLANATION
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11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill allows the department of transportation (DOT) to
14 administer a weigh station preclearance program in accordance
15 with the commercial vehicle information systems and networks
16 (CVISN) electronic screening truck inspection and weigh
17 station preclearance standards authorized by the federal motor
18 carrier safety administration (FMCSA) of the U.S. department
19 of transportation.

20 If the DOT administers a preclearance program, the bill
21 requires the DOT to determine which weigh stations shall
22 participate in the preclearance program and all preclearance
23 system providers' devices and platforms shall be treated
24 uniformly.

25 The bill requires the DOT to set the criteria for the
26 preclearance program and such criteria shall be applied equally
27 to all preclearance systems, devices, and platforms. Such
28 criteria may include but is not limited to safety history,
29 weight, and credential status.

30 For the purpose of the preclearance program, the bill
31 authorizes all commercial mobile radio services network devices
32 and dedicated short-range communications devices to be used
33 as transponders so long as all software and hardware from the
34 provider of the system within which the device operates that is
35 necessary for the DOT's use of the provider's system is made

1 available to the DOT at no cost to the DOT, the preclearance
2 device software and hardware meets the requirements of the
3 FMCSA for core compliance with the CVISN electronic screening
4 truck inspection and weigh station preclearance standards,
5 all in-vehicle equipment is operated in compliance with
6 Iowa law and applicable federal law and regulations relating
7 to distracted driving, and the system within which the
8 device operates is capable of interacting with applicable
9 weigh-in-motion systems.